Atty. Docket: 4450-0222P

## REMARKS/ARGUMENTS

Claims 13-27 are pending in the present application.

In this application, a Terminal Disclaimer was previously filed, via e-mail, on September 27, 2004. Included in this filing was an authorization to charge Deposit Account 02-2448 for the Terminal Disclaimer fee of \$ 110.00

However, during a telephone conversation on November 23, 2004, the Examiner notified Applicants' Representative that the Terminal Disclaimer was not received and entered into the application. It is also presumed that the aforementioned Deposit Account was not charged for the Terminal Disclaimer fee.

Thus, filed concurrently herewith is an executed Terminal Disclaimer along with a check for the Terminal Disclaimer fee. However, if it is discovered that the aforementioned Deposit Account was previously charged for this fee, Applicants respectfully request that such fee be credited to the same Deposit Account.

## Double Patenting Rejection

Claims 13-37 stand rejected under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over U.S. Patent No. 6,754,174 (hereinafter '174). As indicated above, Applicants have filed concurrently herewith

Atty. Docket: 4450-0222P

a Terminal Disclaimer in relation to the '174 patent. In view of

the Terminal Disclaimer, it is respectfully submitted that this

double patenting rejection has been obviated. Thus, the Examiner

is respectfully requested to withdraw this rejection.

Allowable Subject Matter

Applicants acknowledge, with appreciation, the Examiner's

indication that claims 13-27 would be allowable if the double

patenting rejection were overcome.

Conclusion

Entry of this Request for Reconsideration is respectfully

requested in that it raises no new issues requiring further

search and/or consideration. It is respectfully submitted that

all of the stated grounds of rejection have been properly

accommodated. It is believed that a full and complete response

has been made to the outstanding Office Action, and as such, the

present application is in condition for allowance.

Should the Examiner believe that any outstanding matters

remain in the pending application, the Examiner is encouraged to

contact Jason W. Rhodes (Reg. No. 47,305) at the telephone

number of the undersigned in order to discuss the present

application.

Page 3 of 4

Application No.: 09/662,681 Reply to Office Action of October 6, 2004

Atty. Docket: 4450-0222P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Ву

Michael R. Cammarata, #39,491

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

MRC/JWR